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Date: August 25, 2004

Signature of Person Mailing Correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Applicant(s):

Kenneth V. Buer

Docket No.:

36956.0700

Serial No.:

09/810,995

Group Art Unit:

2821

Filed:

March 16, 2001

Examiner:

Nick Corsaro

Title:

SYSTEM AND METHOD FOR UPLINK POWER CONTROL

INFORMATION DISCLOSURE STATEMENT

Mail Stop AMENDMENT Commissioner For Patents P.O. Box 1450 Alexandria, VA 22313-1450

Commissioner:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R., §§1.97 and 1.98, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents listed on the attached Form PTO/SB/08A. Applicant respectfully submits that all pending claims are patentable over the foregoing references, alone or in combination. The Examiner is requested to initial the enclosed Form PTO/SB/08A and return a copy thereof to the undersigned.

The items listed on Form PTO/SB/08A may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants reserve the right to dispute any of the listed documents as prior art during

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examination. Further, Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. Furthermore, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

search	n has b	een made or that no other material information may exist.					
1.[]	For each of the following items listed on the enclosed copy of Form PTO/SB/08A that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:						
 2. []	not er or sub Applic	opy of the items listed on the enclosed copy of Form PTO/SB/08A that is aclosed with this Information Disclosure Statement was previously cited by smitted to the Patent and Trademark Office in the prior [] Parent eation, [] Continuation, [] Divisional or [] Continuation-In-Part application 37 C.F.R. §1.97, U.S. Serial No, filed					
3. []		e is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement it is being filed in compliance with:					
	[]	37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.					
	[]	37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application.					
	[]	37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.					
4. [X]	No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure State since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 3 above but before the mailing date of a final action Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set in paragraph 8 below.						
5. []	since specif	is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement it is being filed in compliance with 37 C.F.R. §1.97(c), after the period fied in paragraph 3 above but before the mailing date of a final action or a of allowance (where there has been no prior final action):					
	[]	A check in the amount of \$180.00 is enclosed in payment of the fee.					

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	[]	Charge the fee to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.					
6. []	A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:						
	a. []	one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 8 below; and					
	b. []	the attached petition requesting consideration of this Information Disclosure Statement; and					
	c. []	the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 9 below.					
7.[]		is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement it is being filed in compliance with:					
	a. []	37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue;					
	b. []	37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.					
	c. []	The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 9 below.					
8. [X]	Disclo	by certify that each item of information contained in this Information sure Statement was cited in a communication from a foreign patent office cunterpart foreign application not more than three months prior to the filing Information Disclosure Statement.					
[]	Stater office reaso	by certify that no item of information in the Information Disclosure ment filed herewith was cited in a communication from a foreign patent in a counterpart foreign application or, to my knowledge after making nable inquiry, was known to any individual designated in §1.56(c) more hree months prior to the filing of this Information Disclosure Statement.					
9. []		ck in the amount of \$180.00 is enclosed in payment of the fee due under 37 §1.17(p).					

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- [] Charge the fee due under 37 C.F.R. §1.17(i)(1) to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

A copy of the non U.S. patent item has been attached in accordance with 37 · C.F.R. §1.98.

Respectfully submitted,

Snell & Wilmer

Dated: Au

Jøhn H. Platt

Registration No. 47,863

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Substitu	ite for form 1449A/PT	0		Complete if Known					
				Application Number	09/810,995	MARIA			
INF	ORMATION	DI	SCLOSURE	Filing Date	March 16, 2001				
STA	ATEMENT E	3Y A	APPLICANT	First Named Inventor	Kenneth V. Buer				
				Art Unit	2684	AUG 2 / 2004			
	(use as many she	ets as	s necessary)	Examiner Name	Nick Corsaro	PR			
Sheet	1	of	1	Attorney Docket Number	36956.0700	CANCEL PARTY			

U.S. PATENT DOCUMENTS								
Examiner nitials	Cite No. ¹	Document Number 2 Number Kind Code (if known)		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
		US- 5,940,025 A	4	08-17-1999	Koehnke			
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	FOREIGN PATENT DOCUMENTS										
Examiner Initials	Cite No. ¹	Foreign Patent Document Office ³ Number ⁴ Kind ⁵ (if known)			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Τg			
		wo	00/25445	A	05-04-2000	Tachyon Inc.					
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Examiner			Date	
Signature			Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (op®onal). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the senal number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if pos®ible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.